

CHARLES H. PERNAL, JR.

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ARBITRATION/MEDIATION/FACTFINDING [2001 to present]

Arbitration: Federal Mediation & Conciliation Service; Oregon Employment Relations Board; Washington Public Employment Relations Commission; Los Angeles City Employee Relations Board [*ad hoc* hearing officer for unfair practices].

Industries: Police and Fire. State/Local Government. Glass. Healthcare services.

Issues: Absenteeism, Arbitrability, Discipline [discipline and non-discipline], Management Rights, Past Practices, Work Hours/Schedules/Assignments, Working Conditions/Work Orders, Disability Pay, Wages.

CCH Publication: *City of Snoqualmie, WA and IBT Loc 763*, 05-2 ARB 3262.

Mediation: ADR panelist, Superior Court, County of Contra Costa, California; State of Nevada Local Government Employee-Management Relations Board.

Factfinding: California Public Employment Relations Board.

LABOR-MANAGEMENT RELATIONS EXPERIENCE

National Labor Relations Board Region 32, Oakland, California [1977-1995; 1999-Sept. 2000]; National Labor Relations Board Region 34, Hartford, Connecticut [1995-1999]; National Labor Relations Board Region 20, San Francisco, California [1971-1977].

Hearing Officer [1971-2000]

Acted as hearing officer in pre-election representation hearings. Negotiated election agreements. Acted as hearing officer in post-election hearings on challenged ballots and objections, and prepared findings, conclusions, and recommendations as to the disposition of each issue. Acted as hearing officer in 10(k) [jurisdictional dispute] hearings.

Supervisory Attorney, Labor [1983 to 1999]

Supervised trial and related legal work, unfair labor practice investigations, and representation case work of attorneys and examiners assigned to casehandling team. Supervised the drafting of RD decisions in representation cases. Supervised injunction litigation in U.S. District Courts under Section 10(l) and Section 10(j) of the NLRA, and other miscellaneous District Court litigation. Reviewed written materials, i.e., proposed pleadings, trial briefs, and similar documents for legal sufficiency, and directed revision, further research, changes in approach or line of argument, and other action as necessary. Trained employees in Board representation and unfair labor practice casehandling, representation case hearing officer duties, and trial practice.

Concurrently performed trial attorney and field examiner duties enumerated below.

Trial Attorney, Labor [1978 - 1983; 1999 - Sept. 2000]

Trial Specialist level. Tried unfair labor practice cases before NLRB Administrative Law Judges. Prepared briefs and exceptions. Prepared and presented injunction cases under Section 10(l) of the NLRA in U.S. District Court. Negotiated pre-trial settlements. Drafted Regional Director's decisions in representation cases.

Labor Management Relations Examiner [1971 to 1978]

Attained "expert" Examiner level. Obtained affidavits from charging party and charged party witnesses. Selected and analyzed charged party's pertinent records. Made recommendations to Regional Director as to the merit of cases and recommended to charging parties that charges be withdrawn in cases, which did not meet the requirements of the law, policy and/or procedure. In merit cases, negotiated with respondent to enter into settlement agreements.

TEACHING EXPERIENCE

California State University at Hayward, Hayward, California

Adjunct Instructor: 1983-89; Taught IR 3680- basic course in Industrial & Labor Relations

University of San Francisco, San Francisco, California

Guest Lecturer: 2001; Human Resource Management and Organizational Development

EDUCATION

Golden Gate University, San Francisco, CA

-- School of Law: Doctor of Jurisprudence [1978]

Cornell University, Ithaca, NY

-- Master In Industrial and Labor Relations [1971]

Boston University, Boston, MA

-- Bachelor of Arts, Government and History [1966]

CERTIFICATES

Federal Mediation and Conciliation Service Labor Arbitration Training [35 hours, 2001]

Mediation For Conflict Management [Foothill College, CA, 35 hours, 2001]

MEMBER : Labor & Employment Section, State Bar of California; LERA

SCHEDULE OF FEES
CHARLES H. PERNAL, JR.

I. PER DIEM

My per diem rate is \$950.

The per diem rate is applied to any day or substantial part of a day spent at hearing. A minimum of one day will be charged for a hearing exceeding four hours; under four hours is charged as a half day per diem. For per diem purposes, a day is eight hours.

II. EXPENSES

(1) Transportation:

Travel to a situs of hearing utilizing personal vehicle is charged at the currently applicable IRS mileage rate. Necessary airfare and ground transportation are charged at cost.

(2) Other Expenses:

Necessary overnight lodging between consecutive days of hearing is charged at cost. There is no charge for the cost of meals. There is no charge associated with travel time to a situs of hearing.

III. CANCELLATION FEE

A cancellation charge of \$950 is effective one week before the scheduled date of hearing.

IV. An invoice and a completed IRS Form W-9 will be mailed in each case.

V. I would be pleased to answer any questions regarding my fees.

Charles H. Pernal, Jr.
Arbitrator